

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Donald J. EATON et al.

Application No.: 10/800,162

Confirmation No.: 9079

Filed: March 12, 2004

Art Unit: 3767

For: SINUS DELIVERY OF SUSTAINED
RELEASE THERAPEUTICS

Examiner: C. Witczak
**AFTER FINAL -
EXPEDITED PROCEDURE**

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

INTRODUCTORY COMMENTS

This is in response to the final Office Action dated January 8, 2009, for which a response is due on April 8, 2009. This response is filed within two months of the issuance of the final Office Action and therefore qualifies for expedited review. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.